



JAP15 Rec'd PCT/PTO 08 JUN 2006

Practitioner's Docket No. 6032101 USA1

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Leo B. Dungan, *et al.*  
Application No.: 10/563,643  
Filed: January 6, 2006  
For: Pesticidal Substituted 1,2,5-Thiadiazole Derivatives

**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)**

I hereby certify that the attached correspondence comprising:

Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Submission Under 35 U.S.C. 371 (3 pgs.) (in duplicate)  
Copy of 371 Formalities Notice (2 pgs.)  
Declaration for Patent Application and Power of Attorney (2 pgs.)  
Postcard

is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on June 6, 2006.

Margaret Christy

  
\_\_\_\_\_  
Signature of person mailing paper

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<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>60322-USA1</b>
U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/563,643</b>		
INTERNATIONAL APPLICATION NO. <b>PCT/US04/21313</b>	INTERNATIONAL FILING DATE <b>01 July 2004 (01.07.2004)</b>	PRIORITY DATE CLAIMED <b>07 July 2003 (07.07.2003)</b>
TITLE OF INVENTION <b>Pesticidal Substituted 1,2,5-Thiadiazole Derivatives</b>		
APPLICANT(S) FOR DO/EO/US <b>DUNGAN, Leo B., et al.</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <p>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> has been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>a. <input type="checkbox"/> is attached hereto.</p> <p>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p><b>Items 11 to 20 below concern document(s) or information included:</b></p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13<del>ter</del>.2 and 37 CFR 1.821- 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p>		

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>10/563,643</b>	INTERNATIONAL APPLICATION NO. <b>PCT/US04/21313</b>	ATTORNEY'S DOCKET NUMBER <b>60322-USA1</b>
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20. Other items or information:  
**Copy of 371 Formalities Notice (2 pgs.), First Class Mail Certificate, postcard**

The following fees have been submitted	CALCULATIONS	PTO USE ONLY																
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a))..... <b>\$300</b>	\$																	
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c))	\$																	
If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... <b>\$0</b> All other situations..... <b>\$200</b>	\$																	
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the International preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)..... <b>\$0</b> Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... <b>\$100</b> International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB..... <b>\$400</b> All other situations..... <b>\$500</b>	\$																	
<b>TOTAL OF 21, 22 and 23 =</b>	<b>0.00</b>																	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is <b>\$250</b> for each additional 50 sheets of paper or fraction thereof.																		
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:15%;">Total Sheets</th> <th style="width:15%;">Extra Sheets</th> <th style="width:35%;">Number of each additional 50 or fraction thereof (round up to a whole number)</th> <th style="width:35%;">RATE</th> </tr> <tr> <td>- 100 =</td> <td>/50 =</td> <td></td> <td>x <b>\$250</b></td> </tr> </table>	Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	- 100 =	/50 =		x <b>\$250</b>	\$	<b>0.00</b>								
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE															
- 100 =	/50 =		x <b>\$250</b>															
Surcharge of <b>\$130.00</b> for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).	\$	<b>130.00</b>																
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:15%;">CLAIMS</th> <th style="width:15%;">NUMBER FILED</th> <th style="width:35%;">NUMBER EXTRA</th> <th style="width:35%;">RATE</th> </tr> <tr> <td>Total claims</td> <td>- 20 =</td> <td></td> <td>x <b>\$ 50</b></td> </tr> <tr> <td>Independent claims</td> <td>- 3 =</td> <td></td> <td>x <b>\$200</b></td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>+ <b>\$360</b></td> </tr> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	Total claims	- 20 =		x <b>\$ 50</b>	Independent claims	- 3 =		x <b>\$200</b>	MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ <b>\$360</b>	\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE															
Total claims	- 20 =		x <b>\$ 50</b>															
Independent claims	- 3 =		x <b>\$200</b>															
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ <b>\$360</b>															
<b>TOTAL OF ABOVE CALCULATIONS =</b>	\$	<b>130.00</b>																
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.																		
<b>SUBTOTAL =</b>	\$	<b>130.00</b>																
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).	\$	<b>0.00</b>																
<b>TOTAL NATIONAL FEE =</b>	\$	<b>130.00</b>																
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property	\$	<b>0.00</b>																
<b>TOTAL FEES ENCLOSED =</b>	\$	<b>130.00</b>																
	Amount to be refunded:	\$																
	Amount to be charged	\$																

06/14/2006 ATRAN1 00000116 061440 10563643

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- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 06-1440 in the amount of \$ 130.00 to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1440. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

John M. Sheehan  
FMC Corporation  
1735 Market Street  
Philadelphia, PA 19103  
United States of America

  
SIGNATURE

John M. Sheehan  
NAME

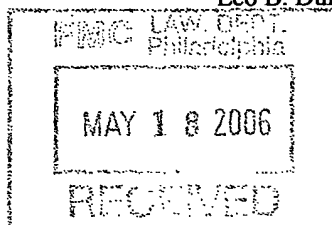
26,065  
REGISTRATION NUMBER

**DOCKETED****UNITED STATES PATENT AND TRADEMARK OFFICE**

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/563,643	FIRST NAMED APPLICANT Leo B. Dungan	ATTY. DOCKET NO. 60322-USA1
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Paul A Fair  
 FMC CORPORATION  
 1735 Market Street  
 Philadelphia, PA 19103



INTERNATIONAL APPLICATION NO. PCT/US04/21313	
I.A. FILING DATE 07/01/2004	PRIORITY DATE 07/07/2003

**CONFIRMATION NO. 1967****371 FORMALITIES LETTER**

\*OC000000018762712\*

Date Mailed: 05/12/2006

### **NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/06/2006
- Copy of the International Search Report filed on 01/06/2006
- Oath or Declaration filed on 01/06/2006
- Request for Immediate Examination filed on 01/06/2006
- U.S. Basic National Fees filed on 01/06/2006
- Priority Documents filed on 01/06/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130 Surcharge:**

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/563,643	PCT/US04/21313	60322-USA1

FORM PCT/DO/EO/905 (371 Formalities Notice)